## Terrible Encounter of Pugilists in Broadway.

BILL POOLE MORTALLY WOUNDED.

THREE OTHERS SHOT.

ARREST OF SEVERAL OF THE PARTIES.

EXAMINATION BEFORE JUSTICE BRENNAN.

EXCITING SCENES. &c., &c.,

At a late hour on Saturday night the drinking saloon known as Stanwix Hall, in Proadway, opposite the Me-iropolitan Hotel, was the scene of one of the most terrific fights that ever occurred between pugilists, and which in all probability will terminate in the death of one of the principal actors in the fearful drama. From the most reliable sources we have gathered the following

facts and circumstances of the case, which has created the most intense excitement among the residents of the city and its suburbs. On Saturday evening, while Bill Poole and some of his friends were drinking in Stanwix Hall, 579 Broadway, John Morrissey entered the place, and it is alloged insulted Poole, when a slight row occurred between them Morrissey drew a pistol and presented it at Poole, who also drew a revolver and presented it at Morrissey. Both parties dared each other to fire, but neither seemed willing to take the first shot, when the proprietors of the beiligerent parties, and, with the aid of a few of the friends of both parties, succeeded in separating them. A message was sent to the Eighth ward station house for ce, which was quickly responded to, and a num ber of policemen going to the scene of the disturb-ance, they found that Poole and Morrissey were already in the custody of two detailed policemen Foole, in the custody of officer Hogan, one of the Chief's shadows, was conveyed to the Eighth ward station house; but no one coming there to make a complaint against him, he was discharged, and went back to Stanwix Hall aga n, for the purpose of making an apology to the preprietor of the house for the disturbance he had caused. Morrissey was taken into custody by officer Rue, of the lower police court, much against the will of the Eighth ward police, and was taken by this detailed officer to the Fourteenth ward, where he was released from actual custedy, and set at liberty by the officer. Poole, thinking that officer Rue would take his prisoner to the Eighth ward station house, as the where he was arrested is situated in that ward, went there for the purpose of making a complaint against Morrissey for assault and battery, but found that he had not been taken there at all, but had been set at liberty in the Fourteenth ward, and that he was then at Johnny Lyng's place in Broadway, corner of Canal street. Poole then proceeded to Stanwix Ha'l again, and commenced talking about the muss he had with Morrissey to several of his friends that were in the salcon. Wine was drank, and the remainder of the evening was spent in talking the matter over. About half past 12 o'clock a carriage drove up to the door, and six men alighting, entered the barroom where Poole and his companions were yet talking. As they entered the room they were recognized as Louis Baker, late a policeman, Janes Turner, Patrick McLaughlin, alias Paugene, Cornelius Linn, Charles Van Pelt and John Hyler. Poole was at this time standing with his back to the bar, and leaning on the counter, when McLaughlin, alias Pau. gene, came up to him in a threatening manner, and, catching him by the coat collar, asked him to fight, used very opproblous epithets, and finally, when Poole would not return the as-gult, spat three times in his face. Poole, however, seeing the desperate crowd that were around, took no further notice of McLaughan's acts than by saying, "That's fine, isn't pulled Mclaughlin away from Peole, and the latter at the same time moved towards the centre of the room, where he stood quietly. Turner seeing that it was impossible to exasperate Poole so as to make him commence the affray, then cried out, "Let us sail into cloak that he wore, drew out a large sized revolver, and correct aim at Poole, who exclaimed, "For God's sake the ball taking effect in the object fired at, it struck Turner himself in the arm on which he held the pistol at rest. It is supposed that some one coming behind him

was lowered so as to point it directly against the arm,

ed. Turner fell on the floor on being wounded, and

rau to where Poole was lying bleeding, and placing the muzzle of a revolver against his breast, and saying, 'I will put you out of the way now,' pulled the trigger, and the pistol discharging, the ball entered Poole's left

side, just below the heart. The scene that took place at

this time baffles description. Turner, who was lying on the ground wounded by himself, fired his weapon at

all around him, and succeeded at last in hitting his own friend, Baker. Charles Lozier ran to the assistance of

Poole, who was in a dying condition, and while endea-woring to lift him from the ground was fired at three

or four times, but one ball alone took effect, and that struck him in the head, producing a scalp wound, which

piece of his scalp, about the size of a dollar, being en-

door; but it seems that even here they turned back, and discharged a few more barrels at the body of Poole, as he lay bleeding on the floor.
As the entire affray did not occupy more than a few minutes, Poole's assailants escaped before any police-men made their appearance, and on an attempt saloon, the revolver was again brought into use, but Farlow, on the corner of Prince street, without doing excitement attending the fraces, attracted the atten-tion of the Eighth ward police. A party of men, headed by Capt. Turnbull, entered the premises a few minutes after the party had escaped. Immediate attention was paid to the wounded. Poole was placed on the counter, for, and in a few minutes Drs. Cheeseman and Putnam their power. The wound was probed, and it was found half, where all traces of the ball, or its course, were rainted away, his names and feet became coul, and at zhought he was about to breathe his last; but they were astonished to find that in a few minutes after he opened his eyes, and spoke to them in a manner very encouraging to them. Attended by three physicians, Poole remained here for the remain a manner very encouraging to the physicians, Poole remained here for the remain der of the night, and towards morning, contrary to the expectations of the decters, he became much better, and seemel so cheerful that it was thought his removation his home would not be dangerons, and accordingly, years—day morning, he was taken to his residence in Chriscoplar atreet, carefully attended during the enough time by the physicians. Captain Turchul, seeing that the parties he was in quest of hid escaped and were, by the time he arrived at Stanvia Hail, seeing the parties he was in quest of hid escaped and were, by the time he arrived at Stanvia Hail, seeingly soul

joining. The entire block, bounded by Broadway, Cana and Walker streets, was searched, but without success; the bird had flown before the arrival of the police, and was, ere the officers were aware of it, safe beyond the preemets of the city, as it was reported yesteraay afternoon that his friends, engaging a carriage, had him conveyed from the city. The police have traced his flight as far as a dreg stors, where he got his wounds dressed, and then crove off at a rapid rate, for fear the police should overtake him. Some suppose, however, that Baker attil remains concealed in the city, and will not leave his hiding place until he hears of the result of Poole's injuries. Turner, who was found to have been badly wounded, was allowed to remain at Lyng's place in charge of two officers until norning, but Paugere, alias McLaughlin, was taken to the Eighth ward station house, as was also Yan Pett, alleged to have been one of the party, but who, it appears die all in his power to prevent bloodshed. From the Eighth ward station touse McLaughlian and Van Pett were conveyed to the Jefferson Market police court prison, where they are now incarcerated. Justice Frenan, thinking if probable that Turner might by some chance escape from the officers while in Lyng's place, sent down a commitment for his conveyance to the Temba in the hends of Captain Bowling, of the Sixth ward police, who accordingly brought him to the city prison, and locked him up, although much against the wish of the physician who attended him, who considered the temoval of his patient highly dangerous, but novertheless the magistrate thought the most prudent maner to dispose of him was to have lime confined in prison, where he could receive all the medical assistance he needed. As Baker could not be found yesterday, Captain Turnbull decided to send on a telegraphic despatch to Philadelphia, wurning the authorities in that city of the eccape of Baker, with a caution to be on the lookout for him sloud he have started in the five o'clock train yesterday. The s

for life.

Charles Lozier, scalp wounded, and shot in the thigh.

Jances Turner, who shot himself; left arm broken.

Louis Baker, supposed to have been shot in the thigh
by Turner, while others assert that he also received a
scalp wound on the left side of his head.

about ten minutes, and atterwards feit, and deponent assisted in laying him on the counter. And further deponent saith not.

APPIDAVIT OF JOHN QUINLAN.

John Quinlan, of corner of Christopher and Washing ion streets, being duly sworn, asys—He was present during an affray that occurred at Stanwix Hail, No. 578 Broadway, on Sunday morning, about I o'clock, when Paugene and five others came into the barroom and called Mr. Foole "a black muziled son of a b—h," and spat three times in his face: a man by the name of Johnny Lynn went to take hold of Paugene to prevent him from striking Mr. Poole, when Paugene kicked said Lynn; Paugene than seized hold of Paugene to prevent him from striking Mr. Poole, when Paugene kicked said Lynn; Paugene than seized hold of Poole by the collar and said, "There is no son of a b—h in the nones could make me let go of Poole." Mr. Van Pelt and Mr. Campbell then atepped in between then to part them, when James Turner took off his clock and threw it on the counter, and drew a pistol, and said, "now sail in boys;" and rested his pistol on his arm and discharged it at Poole, receiving the contents in his own arm; Poole threw up his names and said, "for God's sake you are not going to kill me, are you?" Turner, after shooting bimself in the arm, fell on the floor, and shot Poole in the knee; Poole then staggered and feel; Mr. Baser then got on Poole and discharged a pistol at his breast, and then retreated to the door, saying "I have got you." Deponent further says, that he saw Turner fire a pistol at Charles Lozier and shoot him in the leg, and then the parties left the bouse; Poole then went to the door and stood holding the door, and says "I am shot in the leg," and fell; he was the him of the counter.

APFIDAVIT OF JAMES ACKERBON.

James Ackerson, of corner of Howard street and Broatway, being duly sworn, says that while on his way home he stopped at Sianwix Hall, in company with his brother, Jacob Ackerson and two or three others, at a few minutes past 12 o'clock; Mr. Poole and select h

C. W. Campbell, being duly aworn cays, that on the 24th of Feb. 1855, he was at Stanwix Hati in Broadway, with several gentlemen, and while at supper and about the time we were through our supper, Mr. Morrissey came into the room where Poole was standing, talking to Wm Janeway and other gentlemen, when Morrissey said to Poole, "Ah, it's there you are, you black, murdering non's a b-h." Mr. Poole made no reply, Morrissey attempted to go towards Mr. Poole, and was prevented by James Irvin, and the next is aw was Morrissey with a pistel in his hand making towards Poole, and while in the act of approaching Foole, anapped his pistel twice or three times, but it did not go et; at this time some policemen came in and took Mr. Poole out of the back door to the Eighth ward station house; officer Rue took Morrissey out of the frontdoor and said he had him in charge; I went to the station house officer Rue took Morrissey not being brought there. Lieutenant Stage told him he could not take the charge as the person was not present, when Mr. P. left the station house, and went back to Stanwis Hall to offer an apology to the proprietor; this first occurrence was about 10 o'circk in the evening; and while Poole and others had been talking and drunking for some two hours and more, I saw come into the house Louis Baker, James Turner, Paugene, alias Pat McLaughlin, Charles Van Peil and Johnny Lyng, when Paugene went up to Poole and said, "You black muszled son of a b-h, I want to light you." Poole said to him, "Go away; you and the worth it;" with that he caught Poole by the coat collar, and spit in his face two or three times; Poole got away, and scat to the end of the counter, Paugene following him up, when Turner stepped back, and throwing off his clock, said, "Let us sail in," and drew a pistol from his pocket and levelled it on his left arm towards Poole; the pistol went off, and shot him through the arm; Turner rel on the floor, and kept discharging his pistol towards Poole, who was shot in the leg, anove the knee, and fell

Mr. Peole there is great doubt of his living. And further deponent saith not.

AFFIDAVIT OF JOHN E. DEAN.

John E. Dean, of No. 579 Broadway, being duly sworn, says that he is the keeper of a public house called Stanwix Hall, at No. 579 Broadway; that about twenty manutes after 12 o'clock last evening, James Turner, Patrick McLaughilr, alias Paugene, Louis Baker, Chaeles Van Peit, and Cornelius Lynn, came into deponent's piace; William Poole stool up against the counter, and Paugene came up to Poole and asked him who could lick him; Paugene asked Poole to go cut and fight bim; Poole an wared, that he was not worth tighting with; Paugene then sized hold of Poile by the coat, and insisted on him fighting with him; Turner then took hold of Paugene, and asked him to let go of Poole; Paugene refused to let go; then Paugene spat in Poole's face; Turner then public a pustol from under his cont and told Poole to draw; Poole stood, at the time, at the end of the counter, Paugene was squaring off at him; then Turner presented a pistol at bim and fired, the contents of which went through his own arm; Turner fired regains and the contents entered Poole's leg; Poole atagered and fell, and then Baker fell on top of Poole; dumannt then sent for the police, and before the police came the faces was all over. Deponent further asys that he as a Faker fire a pistol, but did not see who it struck. Audi further deponent saith not.

Alfillavit Of LORENZO DEAGLE.

By Proceedings in the Police Court.

During Sunhay morning the moral intense excitement presulted throughout the tity, from the imperfect and exaggerated rumors affoat, which had spread like wilding. It was said that Poole was shot dead, and no less than four others fatailly wounded, and that the fight centimed at intervals, for three or four hours; and morrover, that the police officers had been short at, and arresting the offending parties. The "fangy" were, of course, greatly excited, and the scene of the fearful encounter was vasited during the moraling by a number of persons auxiliary to learn all the particulars. Here it was ascertained that Captain Turnbull, of the lighth ward police, had effected the arrest of comes of the particle engaged in the affray, and numbers found their way to the police station to inquire into the facts. The Jefferson Market Folice Court was also visited, where it was said the investigation was to come off at half-past of cicels A. M. Osing, however, to the fact that the rolice Court was a covered to excees with personal and to exceed that Captain Turnbull, of the lighth ward police, had effected the arrest of comes of the particle engaged in the affray, and numbers found their way to the police station to inquire into the facts. The Jefferson Market Folice Court was also visited, where it was said the investigation was to come off at half-past of cicels A. M. Osing, however, to the fact that the country, the control of the process of the engagement of the process of the engagement of the particle of the process of the engagement of the process of the engag

ton of the circum stances as they occurred to my knowledge.

APFIDAVIT OF CYRENEUS HARRISS.

Cyreneus Harris, of No. 11 Washington street, being
duly sworn, anys that he was present suring an affray
that occurred at Stanwix Hall. No. 579 Broadway, on
Sunday morning about 1 o'clock, and was standing at
the bar when Mr. Baser, Charles Van Pett, l'augene, and
three others, came into the said house, Baker asked de
ponent to take a drink, and heard Pangane say to Mr.
Poole, "You black muzzled thisf, I want to fight
you." Poole made no answer, he then caught
Poole by the collar of his cost, and spatthree times in his face; Mr. Campbell and another
person then got in between the parties and separated
them; Turner threw off his cloak and put to the counter, drew a pistol and raised it above his head, and
raid, "I st us sail m;" Poole retracted about tweive or
ourteen feet from the parties; Turner than toot aim at
Pools and fired, discharging the contents into his own
arm. Turner there fell, and while he was down discharged
his piatol again, which took effect on Poole's kines; Poole
then staggered and fell, and Baker followed him, and
presented a piatol at his breast and fired it; while Poole
then floor; Baker was bending over him. Poole
then got on his feet and closed the doors, stood holding
the doors for a few minutes, and said, "I am shot," and
fell into McShay's arms, Mr. Poole was then laid on the
counter.

APFIDAVIT OF CYRUS SHAY.

the doors for a few minutes, and said, "I am shot," and fell into McShay's arms, Mr. Poole was then laid on the counter.

APPIDAVIT OF CYRUS SHAY.

Cyrus Shay, of No. 51 Troy street, being duly sworn, says that he was present at the time that James Turner, Patrick McLaughin, alias Paugene, Louis Baker, Charles Van Pelt, John Hyler, and Cornelius Lynn came into standar, Poole was standing up to the counter, and saw Paugene take hold of Poole by the collar of his cost, and that Mr. Poole was standing up to the counter, and saw Paugene take hold of Poole by the collar of his cost, and say to him—"I want to fight you." Poole made no reply to that. Paugene said to him—"You black muzded son of a b—h, I want to fight you." Then Van Felt and a Mr. Campbell stepped in to part them, and then Paugene spat three times in Poole's face. Poole got entirely clear from him; Turner then took off his cloak, and threw it on the counter, and drew a pistol, and flourished it above his head, and said—"Boys, let us sail in, anyhow; Turner then took aim to fire at Mr. Poole resting the pistol on his arm, and received the contents of the pis of in his own wound he received; Poole grained his hands, and said—"For God's sake, don't murder me—are you going to kill me?" Turner, as he lay on the floor, first his pistol again, and shot Poole in the knee; Poole stag greef and fell, Baker then took his pistol, and put it up to Poole's breast; while Poole was lying on the floor and Baker on tep of him, he discharged it, and said—"guess I will take you, anyhow;" Paugene at the same time shot Charles Lower in the head, and deponen heard the report of me his feet, and holding the harry control of the head, and deponen heard the report of me his feet, and holding the harry control of the head, and deponen heard the report of me for assistance, and laid him on the counter and each for assistance, and laid him on the counter and each for assistance, and laid him on the counter and each for assistance, and laid him on the counter and each for assistanc

Stanwix Hall is situated in Broadway, opposite Metroproprieters feel keenly the upenviable potoriety likely to ful occurrence. A brief description of the place is ne ants during the progress of the fight. On entering the room from Broadway the visiter may see to the right an oveter stand, and further on the bar, between which

found that the balls had perforated the partition in several places between the hall door and the street door. An oil painting suspended on it is also cut in two places. The counter of the har near the floor contains several holes, evidently made by the platel shots.

The scene during the progress of the light is described as being fearful, although the time occupied was but a few moments. After the first shot, by Turner, the wildest excitement prevailed. The room a was at this time not fully lit, and the smoke from the pistol shots tended to make the scene all more obscared, and to a bystander it would be impossible to tell who were the consisting parties. The shots appeared to come from every part of the room, and through the shifting sunds the frantic pugillsts were to be seen springing at each other, with fearful oaths and imprecations, while the startist bystanders rushed for the doors and made every attempt to escape unburt from the room.

### A WARRANT ISSUED FOR THE ARREST OF MORRISSEY.

Before the police court closed, Mr. J. E. Dean, one of the proprietors of Stanwix Hall, preferred a complaint against John Morrissey of assault and battery, alleged to have been committed on the evening of the 24th inst. A warrant was placed in the hands of officers Martin and Moore, to arrest Morrissey and bring him before the

# HIGHLY IMPORTANT FROM MEXICO.

THE BEVOLUTION COMING TO A HEAD.

Enthusiastic Reception of Alvarez at Acapulco.

The Regular Army Pronouncing Against Santa Anna.

Immediate Advance of the Revolutionary Troops Under Alvarez Upon the City of Mexico.

Important Effect of General Francis Moreno's

Descriton to the Liberal Party. GEN. ALVAREZ TO BE DECLARED PRESIDENT PRO TEM.

Our Acapulco Correspondence

ACAPPLEO, MEXIPO, Feb. 5, 1855.
Relaten of Airarez la Acapulco—His Enthusiastic Recog-

tion-Grand Bull in Honor of the Revolutionary Hero the Advance of the Revolutionary Arm, upon Mexico-Important Effect of Don Francis Moreno's Promuncia-mento in Favor of the Liberal Party-Biographical Sketch of Him-Awares to be Declared Temporary President-List of Candidates for the Presidential Elec-

Since the sailing of the last steamer, we have had no thing but military re-organizations-soldiers being fitted out with new uniforms-formation of regiments and brigades. In fact, I doubt much if such a collection of men will ever be seen for years to come in Acapulco.

Having witnessed many demonstrations of rejoicing, and seen many processions, both religious and political, in not only this, but other portions of Mexico, I have yet to see such a spontaneous manifestation as was display ed on yesterday, at the reception given to the gallant old chieftain of the South, Alvarez, and what is very singular, the is the first time he has visited Acapulco since the days of the Spanish Revolution, when he captured the Castle of San Diego. The road from the Garita to the plaza, a distance of one league, was lined on both sides with soldiery, under the command of General Ra

At the Garita, he was received by the civil functionaries, and in passing, the different regiments draoped their colors, the men precented arms, and the bands played national airs. On Alvarez's right rode Genera Thomas Morcoo, and on his left General Ignacio Comon fort and your correspondent, whose feelings of patriot ism prompted him to add his mite in receiving one whom he so highly appreciates for his many noble quali-ties. Of the numerous triumphal arches under which he passed, the one which appeared to please him most, was inscribed on it "Liberty and Justice." In appearance, Alvarez looks about 50 years of age, though he is sixty. has disappeared, and a smile of contented satisfaction il-'I have lived to see my country rescued from despotism.'
In the evening a grand ball was given in his honor, in order to enable him to receive the ladies. The fitting up of ours at home. At the head of the ball room, over the chair occupied by Alvarez, hung the "stars and stripes" and the flag of the Republic of Mexico, their graceful tolds indicative of sisterly harmony; and it is gratifying her citizens. It was also plearing to observe that her Britannic Majesty's Consul, Charles Wilthen, Esq., was present, not omitting our own esteemed Consul, Caarles

In a few days the chieftain, at the head of 5,000

troops, leaves for the capital.

The First Erigade will be under the command of Gen. Francis B. Moreno, and will take up its line of march on he 8th, and I cannot permit this opportunity to escape with a mere mention of Moreno's name. He is one of the best military educated men in this country, and was bern in Pensacola, Florida. His pedigree is of the Old Morenes and De Sotos—both names well known in our Southern States as families of the highest standing and seph's College, Bardstown, Kentucky, and although in the year 1828 he expatriated himself and became a citi zen of this reputlic, still does he retain the high toned be was educated. During our war with Mexico, in all the took an active and conspicuous part, but has since then been on active service on the frontier. Finding, in his last engagement at Nuesco, Santa Anna (see his propunciamento, which accompanies this letter) abandoned him and his entire command, and that no dishenor could be attributed, he, with his brigade, composed of nine regi-ments, have pronounced in favor of that party which, from his position in the army, he was forced to oppose by military duty and law, until the opportunity arrived when he could give expression to his feelings of patriot ism. His acquisition to the cause of the liberal party as the news arrived, have the government troops pronounced in favor of Alvarez, which is the funeral knell of the would be Emperor.

The second brigade will be under the command of that

uncompromising officer, Gen. Ignacio Comonfort, a word The third is to be commanded by General Thomas

7,000 troops from the itate of Michigagan; and, on their

will a crely state that of the following distinguished gentlemen, one will be relacted :-- First causes General Artists, whose friends express a desire that he should be General Caballos, who is also an ex-President; and lastly,

al approbation.

As the time is rapicly approximating when a change of presidency will take place, you may rely upon my communicating the earliest intelligence.

[From the Panama Herald, Jan. 24]
Our dates from Acapulco are to the 24th instant. The news is highly important, as contained in the following correspondence.

As we anticipated, a courier arrived from General always, head-quarters at Trepan on the 20th with the official intelligence that General Toulongs, with his suffice rommand, composed of some of Hanta Anna's select officers and troops, had, with all their arms and munitions of war, capitulated, or to use a patriotic expression had pronounced in favor of, and joined the command of Al-

varez. By this the liberal party in the South are reinforced with 1,000 regular troops and officers, together with 1,800 good musicats, 80 mule loads of munitions of war, and 6 field pieces; as fliciently ample to bid defiance to any additional troops Santa Anna may order to the South, which is exceedingly questionable, as he no doubt is fully convinced of the absurdity of another attempt to defeat Alvarez and his chieftain, General Commfort, the latter whose talents and liberal sentiments and feeling lowards not only his own countrymen, but foreigners, emfecutly quality him for the most elevated position within the gift of the Mexicans; a better valed position could not be made, for he alone appears to be the man who could harraonize the "North and South," and prevent this republic from crumbling into insignificant independent States.

The victory was celebrated in this port on the 20th by the firing of a national salute, and other demonstrations of rejoicing. The whole force, some 560 troops, are on their march for this place, and may be looked for in a few days.

The Freuch frigate La Forte cheared on the 9th for

the firing of a national salute, and other demonstrations of rejoicing. The whole force, some 500 troops, are on their march for this place, and may be looked for in a few days.

The French frights La Forte chard on the 9th for Callao. On the 12th the Mexican schooner Atrivido, arrived with a cargo of flour, being 17 days from Guaymas; she leports no blockade fitting out for this port; that Sauta Anna has no vessels to fit out. The American schooner Flying Dart, Capt. Ferrann, anived on the 14th with a cargo of provisions, and made the passage from San Flancisco in 18 days.

Santa Anna is still in the capital, and his so salled election is progressing with wonderful rapidity, his new steamers of war are quietly in the port of Vera Crux for want of crews, and thus ends the far famed paper blockade and the estempt to defeat Alvarez.

[From the San Francisco H-rald, Jan. 30.]

According to Information gathered at Acapulco, a body of troops, one thousand in number, belonging to Santa Anna's army, surrendered on the plain near Ayuda, about thrity-four leagues from Acapulco, to General Don Rosendo Moreno, the chief of the brigade of that name, en the 17th of January. The majority of them were incorporated into the army of Alvarez, nellag good fighters, and well armed.

Eighty mule loads of ammunition and camp stores, fifteen hundred stand of arms (besides the equipments which the descripts brought with them), and ats field pieces, were surrendered. Great numbers of unskets, in a first rate condition, were also secured, where the min of Santa Anna had hrown them at the time of their except from the ranks.

The revolutionists resident at Acapulco appeared to have the greatest faith in the success of the movement, and rojoiced at the idea that hat result was likely to be so soon accomplished.

Two natives of Acapulco (their names are not mentioned,) whose hoppes and wishes leaned towards the sid of Santa Anna, came away exiles in the Golden Age, no doubt in fear of their cape, in case they remained.

mained.

There was no lack of provision at Acapulco, as before, the schooner Hying Bart, from San Francisco, being in port with an assorted cargo, and also a brig from Mazatian.

port with an assorted cargo, and also a brig from Mazatian.

THE PRESIDENTIAL ELECTION IN SONORA.

While all the votes in the central and eastern Maxican States were cast for Santa Anna, at the recent Presidential election farce, it would appear his influence did not extend to Sonora. The San Diego Herald says.—We have received information from a friend, who was in Santa Anna and the day of election, and who is now in Santa Anna and the fate of His Serrie Highness Santa Anna. In Altar, Santa Anna received but three votes; in Santa Anna, none; in Madalens, two. All the votes in these pueblos (amounting to several hundred,) were in favor of Gen. Arista. Gen. Yanez and ex-Governor (now Lieutenant-Governor) Gandera, with all their peons and wealth, were anable to secure any demonstration in favor of the Dictator.

## Smildth, Convicted of Slave Trafficking. UNITED STATES CIRCUIT COURT.

Frm. 24 - The United States vs. James Smidth - It will be recollected that the prisoner, a Hanoverian by birth, was convicted at the last term of this Court, be-fore Judges Nelson and Betts, of trafficking in slaves on the coast of Africa, having fitted out a vessel in the United States for that purpose A motion was made for

a new trial, and Judge Nelson in granting the motion has given the following opinion on the case:—

has given the following opinion on the case:—
OPINION OF JUDGE NRISON, CIRCUIT JUDGE.
NRISON, C. J.—The prisoner is indicted under the act of Congress passed May 15, 1820, upon a charge of having been ergaged in the slave trade in violation of the provisions of that any citizen of the United States, being of the crew or ship's company of any foreign ship engaged in the slave trade, or any person whatever, being of the crew or ship's company of any ship, owned in whole or in part, or navigated for, or in behalf of, any citizen or citizens of the United States, who shall be engaged in the slave trade in the manner and with the intent specificd in the fourth and fifth sections of the discrete shall ending the discrete shall ending the offence under both branches of the act—
I. That the prisoner, being one of the ship's company

The indictional charged the offence under both branches of the act—

1. That the prisoner, being one of the ship's company of the beig Julia Moulton, owned in whole or in part by a citizen or citizens of the United States, dis piratically &c. confine and detain 500 negroes on board and vessel, &c., with intent, &c. contrary to the statute.

2. That the pinsoner, being a citizen of the United States, and one of the ship's company of the brig Julia Moulton—the—aid bry being a foreign vessel capaged in the slave trade—did piratically, &c., detain, &c., 500 negroes on board and vessel with intent, &c.

1. In the trade—did piratically, &c., detain, &c., 500 negroes on board and vessel with intent, &c.

1. In the trade—did piratically, &c., detain, &c., 500 negroes on board and stream of the brig Julia Moulton by the prisoner, at Boston, from the American owners, privious to the equipment and fitting out at the port of New Yors for the voyage to the coast of Africa, also, that the ship's papers were taken out at the Contombrane, at Boston, and after words at New York, by him, or at his instance, and in his own rame. The evidence was not entirely clear that the hald furnished the money that was pad for her. In the ship's papers, which had been produced by the government, the prisoner was described as a citizen of the United States, and he had taken the usual Custom house oath, that he was such citizen. The evidence was full, that the prisoner, as master of the vessel, salled from the port of New York to the coast of Africa, took in a

the port of New York to the costs of Airos, the carge of negroes, and from themes sailed to the Island of Cuba where the carge was landed, and the ship burnt by his orders.

Considerable evidence was given on the part of the prisoner tending to show that he was a subject of the single m of Hanover, in which he was born, and not a citizen of the United States.

In submitting the case to the jury, the Court stated that the government must prove either that the prisoner, at the time he was engaged in the illegal traffic, was a citizen of the United States, or, that the vassel which he commanded was owned in whole or in part, by a citizen or citizens of the United States, in order to justify them in finding him guilty. And these two questions were accordingly left to the jury, for their finding, after calling their attention to the evidence that had been given bearing upon them. The jury found a general variet of guilty.

The primar's cannel now moves for a new trial, among others, upon the ground that he was taken by surprise in the direction given to the case by the charge of the Court in submitting to the jury the question as to the mational character of the vessel, or, to be more particular, the question whether the interest of the American owners in the vessel had passed to the prisoner by the purchase of her at Boston.

The argument of the counsel is, that the purchase of the vessel by the prisoner had been proved on behalf of the government, and assuming, therefore, that it was not to be made a matter of courtoversy in the progress of the trial, but to be taken as an admitted fact, he had omitted to examine withese as and only produce evidence which, if his attention had been turned to the point, or he had deemed it material, would have placed the fact beyond all reasonable doubt, that, having taken it or granded from the course of the trial, that the purchase and transfer of the vessel from the American owners, passed from them, and vested in the prisoner a complete title, the only question in controversy l

chase and transfer of the vessel from the American owners, passed from them, and vested in the prisoner a complete title, the only question in controversy left in this part of the case, as the counsel supposed, was the question of chitzenship.

We are intelled, on a review of the case, that these considerations, suggested by the counsel for the prisoner, are entitled to weight, and that the course of the trial may very well have misled him in respect to the point ments end, in conducting the defence.

The government having began the trial by giving evidence, tending to prove the purchase of the vessel by the prisoner from the American owners, and thus making that fact a part of its case, whether material or not, so far as the proceeding was concerned, it was natural for the counse for the prisoner to infer that, unless he himself chose to contravert it, it would be regarded as admitted, or, at least, not a matter of controversy in the future progress of the trial.

The somewhat imperfect state of the arcidence in respect to this purchase, as given on the trial, led to the

acter of the consideration.

The finding of guilty was general, and as the national character of the resel was submitted to the jury, the vendet may have been influenced by the consideration

France must, therefore, he a new trial.

Sympanced for he Harded in Louisiana,—
Meisses, a siave pict teleosping to M'lle. Florestine Fribox and her bother, Mengo, belonging to Muse Elles
kindair, have been tried and convicted in the Pariets of
es. Charles, of the murder of John Wesley Lathern, on
the fitth of November last, and have been sentenced to
be hanged. Farker, the hosband of Meissnie, who was
typed with them, was acquitted. Mr. Lathern was to
have been married on the Tith to Meissnie, mustress, and
the alleged ground of his being numbered, was that she
did not wish to be removed to Mr. Lathern's place.

Accompliance of the control of the control

ARRIVAL OF THE GEORGE LAW.

ONE WEEK LATER FROM CALIFORNIA.

News from Oregon, the South Pacific, New Granada, Australia and the Sandwich Islands.

\$1,113,547 in Gold Dust.

FRIGHTFUL STEAMBOAT EXPLOSTION.

Upwards of Forty Persons Eilled. THE CRIMINAL RECORD.

POLITICAL INTELLIGENCE.

THE VOTE FOR UNITED STATES SEMATOR.

INTERESTING ITEMS.

MARRIAGES, BIRTHS AND DEATHS

THE MARKETS, &c., &c., &c.

The steamship George Law, Lieut. McKinstry, U.S. N., commanding left Aspinwall at ten minutes past 12, on the merning of the 16th instant, and arrived at Quarantine at 3 o'clock on the morning of the 25th.

\$1,113,547 in treasure on freight, and 304 passengers, brought down on the Pacific side by the Pacific Mast Steamship Company's steamer John L. Stephons.

She brings the California mails of the 1st instant

The Panama Raifroad is so far completed that trains out the whole distance from Aspinwall to Panama. The passengers by the John L. Stephens were landed at Panama on the morning of the 15th instant, and came on board the George Law the evening of the same

be formally opened on the 20th instant, and the party of directors and other gentlemen who left New York on the 5th by the George Law, were to assist in the ceremonies.

The following	is the	. 0.0	ech	e 1	tn:	t e	1	th		G	KIT	100	٠.	AW
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Wells, Fargo &	Co.				.17				ā		10	93	10	169,64
Drexel & Co							7				77		-	100,00
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John Durand &	Co	40												4,069
Giro & Franchia														754
Total	o-conversi		4100		ur.			1127			l,			113.54

We are indebted to Messrs. Wells, Pargo & Co. for ties of California and Oregon papers, and also to the express of Mesers. Adams & Co., Purser Mitched and the

In the list of passengers will be noticed the name of Gen. J. R. Echenique, ex-President of Peru. Gen. E. is accompanied by his family, and intends making a lengthy visit to the United States.

The Indian troubles in the neighborhood of the Kla-math river were becoming somewhat alarming. A numher of white men had been killed-aix certainly-and about thirty Indians. It was feared that there would be a general rising among the Indians of the North.

On the 27th uit, during a fire on First street, the

Francisco, Thomas Murray, an energetic fireman, belong-ing to Engine Co. No. 11, lost his life by the falling of a chimney upon him.

The worshippers of Thomas Pains in San Francisco celebrated his birthday on the 29th by a public dinner at

the Franklin restaurant. They called it the "Feast of

On the 28th January there was a severe earthquake, over five minutes in duration, ranging from Iowa Canon. The miners in the tunnels and shafts were considerably alarmed, and made their exits as quickly as possible.

Political Intelligence.

The Legislature had transacted no business of material importance, so far. A bill was passed appropriating \$1.000 from the State treasury to each member. The Governor refused his sanction to it; but it subsequently passed the Assembly in spite of the veto, by a rote of \$5 to 21.

The San Francisco Journal of the 1st testant thus speaks of the appearance of a new candidate for United States Senator.—General Whitesides, of Parks Bar, Yuba county, who has received a number of votes for United States Senator, in joint convention, was nominated by Senator States and the transactions of the senator of States Senator.

county, who has received a number of votes for United States Senstor, in joint convention, was nominated by Senator Stebbins on the third ballot, on Thesslay, and received air votes by the support of Resears. Gaver, Geller, Phelps and Kinney, on the thirty third vote, which number was augmented on the following ballot to nime, by the votes of Meszrs, Boughty, Ashley and Terrell. We learn he received threteen votes in yesterday's ballottings. The present action of the Legislature is truly faccical. It is stated that the largest number of whigh are of Broderick tendency, and that he has at present forty votes pledged. Dr Gwin's strength is about the same figure. The only chances of an election is supposed to rest upon the probability of the Know Nothings, who are said to be forty one in force in both houses, concentrating on a popular candidate, and he a new man. The Hend cays —The voting for Fenator was renewed yesterday, with but little change, except a falling off in the Gwin vote, and the taking up by the McCorkie wing of a new candidate—Mr. Whitsaides. It seems to be settled that Dr. Gwin cannot be re-elected, but is it not a little engular that a man who has been in the fittle since 1549, and never before heard of, should have polied as many as nine voted. By coing it blind, sometody else besides whige may pick up a Walto candidate.

The Convention mest again to-day. Desperate efforts are making by the Gwin ving—so any rumor—to bring about a compromise on acone man who has not been voted for.

The joint convention of the Legislature had bollotted thirty-five times for United States Senator. On the twenty sixth ballot Gwin received forty one votes, but, as will be seen by the following, he again fell off on the last trial.

The thirty fifth vote was taken on the afternoon of the

will be seen by the following, many trial.

The thirty fifth vote was taken on the afternoon of the Slet ult., and resulted as follows:—

everal of the wousded and dying to the hospital, it is believed that more than two-thirds have perished—some of them were frowen, others aconglicity blown to pieces, others with their arms and legs blown off, and otherwise terribly mutilated.

Captain Bavis, Furner Gilman and Mr. Melletis, of Wells, Fargo & Co. is sunk. They are now about making preparations for its recovery. Mr. Keefer, of Adams & Co.'s Express, was naved. The mangled corpose of several Chinamen are lying on each added the river—most of them at Yolo. The boat is a total wreak. The Knterprise arrived this moment, being about twenty minutes behind the Fearl. It is impossible to procure the list of passengers, as the clerk was blown up with the rest. All that is known offinitely lethal there were misety three on board. A rope was procured, and the wreak has been issued to the river side, abreat of the gas works. The after cabin and the bull is all that remains of her. Those passengers who were fortunate enough to be aft in the cabin, providentially, we except uninjured.

The pilot, Mr. Williams, was thrown a considerable foliames in the sir, and fell in the river wishes, few feet of the Yolo shore he was antequently purched up, and will denables recover. If a cappe is certainly miraculous. The appearance of the wonded (and scarcely) one escaped was a socializating right. The Chicamera and women grounds and walled in a many